



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No. 047172/0154

Applicant: Robert J. LEVY *et al.*

Title: **REVERSE GENE THERAPY**

Appl. No.: 09/487,851

Filing Date: January 19, 2000

Examiner: Qian J. LI

Art Unit: 1632

RECEIVED

AMENDMENT AND RESPONSE UNDER 37 C.F.R. 1.116

NOV 01 2002

Commissioner for Patents
Box AF
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

This communication is responsive to an Office Action, mailed July 29, 2002, in the above-captioned application. While no other fees are believed due, the PTO is authorized to invoice account No. 190741 for any charges deemed necessary. Please amend the application in the manner detailed below.

In the Claims

Please cancel claims 1-3, 6, 7-15 and 18-29 without prejudice or disclaimer, and add the following claims:

69. **(New)** A method for identifying a candidate therapeutic gene, comprised of (A) identifying a first abnormality in cells of an abnormal tissue and (B) selecting a gene on the basis of a beneficial correlation between said first abnormality and an effect of expressing said gene in said cells of said abnormal tissue, wherein said gene is normally associated with a second abnormality that is different from said first abnormality.

70. **(New)** The method of claim 69, wherein said first abnormality is re-entrant atrial flutter.